

Joel Tyson, Mayor

Mark D. Mathes, City Manager

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F e l l s m e r e

August 15, 2019

Paul Carlisle
City Manager
City of Sebastian
1225 Main Street
Sebastian, FL 32958

via Email: pcarlisle@cityofsebastian.com

RE: Graves Brothers Annexation

Dear Mr. Carlisle:

Please accept these comments relative to the Planning Commission public hearing on the proposed Future Land Use Amendment for the subject project. Of particular note are the following City of Sebastian staff recommendations that the City requests be memorialized as site specific policies of the Comprehensive Plan, otherwise placed in an Annexation Agreement, or implemented via another legal instrument that will bind the applicant to such conditions.

- a. Rezoning of the property shall be done through a Planned Unit Development process as described in Article XX of the Land Development Code.
- b. Housing types shall be mixed to meet various income levels and lifestyle choices.
- c. Future dedication of ROW for an interconnected, extended and improvement of the grid road system, along with a well- planned transportation system of roads and streets throughout the development, in coordination with Indian River County, to specifically include 81st Street, 77th Street, and 73rd Street, as well as 74th Avenue.
- d. Provision for a mixed-use "Town Center" area.
- e. Future dedication of institutional lands necessary for governmental services such as post offices, public safety, schools, etc. that may be needed for increases in necessary services.
- f. Strategic assembly of commerce and industrial development at major intersections.
- g. Dedication of conservation lands to include any wetlands of significant importance and the provision of greenway trails and public access to those areas.

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- h. Dedication of City park and recreational lands above what will be required in the individual residential subdivision developments.
- i. Increased buffers adjacent to low density areas outside of the PUD area.
- j. As a condition of future developments, sufficient land area shall be allocated for infrastructure required to support the development and mandate hook-up to central potable water and wastewater systems for all new developments prior to receiving development orders. Therefore, the proposed development must provide sewer and water service as a condition of development. These services may be provided by the County or alternative services, however no septic systems would be allowed in accordance with City policy and land development codes.

In addition to the above conditions, the City requests that Sebastian consider the following.

1. Adoption of the future land use map as presented may pose a detriment to future development as the location of such future land uses may not align with the final needs of the City or desires of the developer. Lengthy and costly future land use amendments would then be needed to revise such designations. The City of Fellsmere encourages Sebastian to develop a mixed use or new town future land use category that provides flexibility as to the ultimate development within defined parameters that will ensure the type and quality of development desired by the City.
2. Although a variety of housing types is discussed generally above, workforce housing is a critical need in Indian River County. The City requests Sebastian consider a specific commitment to the provision of affordable housing.
3. The staff report and conceptual plan depict a pedestrian system along the eastern property boundary. The City requests Sebastian consider requiring the Owner/Developer to construct a City-approved Pedestrian Linkage System within the Development and a sidewalk or trail eight (8) feet in width along the County Road 510 and along the entire eastern extent of the property.

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4. Given the considerable increase in value the annexation and future land use brings to the Owner/Developer, the City requests Sebastian require the Owner/Developer dedicate without compensation the additional right of way for County Road 510, including all lands required to support the widening of CR510, such as, but not limited to, required stormwater lakes. Being a voluntary annexation, such request should not be subject to the rational nexus test.
5. The City of Fellsmere has initiated a Section 164 Conflict Resolution process underway with the Sebastian River Improvement District. Uncertainty of drainage rights in the overall basin in which this property lies may draw all parties into such discussions including the City of Sebastian. The City of Fellsmere would like to see the uncertainty resolved so that all parties may proceed with certainty. The Owner of the property is directly involved in the conflict resolution and can be instrumental in working toward a mutually agreeable solution.
6. Provide specific minimums for the staff recommended conditions of approval. For example, condition 'h' above indicates that recreation will be above and beyond that which would be within each subdivision but does not provide a specific amount or type. This somewhat conflicts with the staff report that indicates recreation land has a large surplus in Sebastian at this time. Condition 'l' calls for expanded buffers – expanded to what? Meanwhile, condition 'd' calls for a mixed-use town center. What are the minimum parameters of the town center?
7. Finally, the City of Fellsmere notes the conditions in the Stipulated Settlement Agreement (2007-0885CA19) entered into as a result of Fellsmere's prior annexations east of I-95 that limit density to no more than 2 units per acre, caps height for both residential and nonresidential structures, and mandates a base

level of recreation service east of I-95. The proposed Graves Brothers annexation and future land use amendment do not provide for similar constraints. If this is the desire of the Sebastian, the City of Fellsmere requests that it be relieved of these constraints as well.

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I thank you in advance for your consideration of the above matters. If you wish to discuss these matters in further detail, feel free to reach out.

Respectfully,

A handwritten signature in blue ink, which appears to read "Mark D. Mathes". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

Mark D. Mathes
City Manager

CC: Jason Brown, Indian River County Administrator
City of Fellsmere, City Council
Warren Dill, City of Fellsmere Attorney